

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**INFORMATIVE MOTION OF FINANCIAL OVERSIGHT
AND MANAGEMENT BOARD FOR PUERTO RICO REGARDING
AGREEMENTS WITH RESPECT TO ADMISSIBILITY OF EXHIBITS**

To the Honorable United States District Judge Laura Taylor Swain:

Pursuant to the Court's *Order Directing Filing of Certain Materials Relating to the Admission of Evidence* [Case No. 17-3283, ECF No. 18984] (the "Order"), the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as sole Title III representative of the Commonwealth of Puerto Rico (the "Commonwealth"), the Puerto Rico Public Buildings

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Authority (“PBA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and PBA, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully states as follows:

1. Pursuant to the Order, attached hereto as Exhibit 1 are lists of exhibits proffered by the Debtors (attached as Schedule A), the DRA Parties³ (attached as Schedule B), the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) (attached as Schedule C), the Monolines⁴ (attached as Schedule D), U.S. Bank Trust National Association and U.S. Bank National Association (together, “U.S. Bank”) (attached as Schedule E), the Official Committee of Retired Employees of the Commonwealth of Puerto Rico (the “Retiree Committee”) (attached as Schedule F), Suiza Dairy Corp. (“Suiza”) (attached as Schedule G), and Peter C. Hein (attached as Schedule H) (collectively, the “Parties”) whose admissibility is agreed, subject to the reservations of rights in the October 27 letter to the Court attached as Exhibit A to the *Informative Motion of Financial Oversight and Management Board Submitting October 27, 2021 Letter to the Court* [ECF No. 18988]. Each Party has annotated their respective list to reflect the Parties’ agreement as to the purpose for which each exhibit was admitted.

2. Attached hereto as Exhibit 2 is a list identifying the exhibits whose admissibility is not agreed.

² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

³ “DRA Parties” means the AmeriNational Community Services, LLC (the “Servicer”), and Cantor-Katz Collateral Monitor LLC (the “Collateral Monitor”).

⁴ “Monolines” means Assured Guaranty Corp. (“AGC”), Assured Guaranty Municipal Corp. (f/k/a Financial Security Assurance Inc.) (together with AGC, “Assured”), Ambac Assurance Corporation (“Ambac”), National Public Finance Guarantee Corp. (“National”), and Financial Guaranty Insurance Company (“FGIC”).

WHEREFORE, the Oversight Board respectfully requests that the Court take notice of the foregoing.

Dated: November 2, 2021
San Juan, Puerto Rico

Respectfully submitted,
/s/ Michael A. Firestein

Martin J. Bienenstock (*pro hac vice*)
Margaret A. Dale (*pro hac vice*)
Julia D. Alonzo (*pro hac vice*)
Laura Stafford (*pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

Michael A. Firestein (*pro hac vice*)
Lary A. Rappaport (*pro hac vice*)
PROSKAUER ROSE LLP
2029 Century Park East, Suite 2400
Los Angeles, CA 90067-3010
Tel: (310) 557-2900
Fax: (310) 557-2913

Attorneys for the Financial Oversight and Management Board as representative for the Debtors

/s/ Hermann D. Bauer

Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

Co-Attorneys for the Financial Oversight and Management Board as representative for the Debtors